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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,	)	CIVIL NO. 04-00671 HG LEK
	)	
Plaintiff,	)	DEFENDANT'S MOTION IN LIMINE
	)	TO EXCLUDE WITNESSES NOT
v.	)	DISCLOSED BY PLAINTIFF
	)	DISCLOSED PRIOR TO DISCOVERY
MICHAEL CHERTOFF, Secretary,	)	DEADLINE; MEMORANDUM IN
DEPARTMENT OF HOMELAND	)	SUPPORT OF DEFENDANT'S MOTION
SECURITY,	)	IN LIMINE TO EXCLUDE WITNESSES
Defendant.	)	NOT DISCLOSED BY PLAINTIFF
	)	DISCLOSED PRIOR TO DISCOVERY
	)	DEADLINE; EXHIBITS "A"- "B";
	)	CERTIFICATE OF SERVICE
	)	
	)	Trial: February 5, 2008
	)	Judge: Hon. Helen Gillmor
_____	)	

DEFENDANT'S MOTION IN LIMINE TO EXCLUDE WITNESSES NOT DISCLOSED  
BY PLAINTIFF DISCLOSED PRIOR TO DISCOVERY DEADLINE

Pursuant to Rules 26 and 37 of the Federal Rules of Civil Procedure, defendant hereby moves this court to strike from plaintiff's witness list those witnesses whose identity was not properly disclosed, in response to defendant's discovery requests or otherwise, prior to the discovery cut-off in this action. The

grounds for this motion are set forth in the attached memorandum in support.

DATED: January 15, 2008, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

By /s/ Thomas A. Helper  
THOMAS A. HELPER  
Assistant U.S. Attorney

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

RAYMOND WARE,	)	CIVIL NO. 04-00671 HG LEK
	)	
Plaintiff,	)	CERTIFICATE OF SERVICE
	)	
v.	)	
	)	
MICHAEL CHERTOFF, Secretary,	)	
DEPARTMENT OF HOMELAND	)	
SECURITY,	)	
Defendant.	)	
	)	
_____	)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served Electronically through CM/ECF:

Daphne E. Barbee  
desekmet@aloha.net

January 15, 2008

DATED: January 15, 2008, at Honolulu, Hawaii.

/s/ Coleen Tasaka-Shoda

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